
By: **Delegates Jones, Burns, Cardin, Howard, Kelley, Morhaim, Nathan-Pulliam, Proctor, F. Turner, and Zirkin** **Zirkin, Benson, Boteler, Boutin, Bromwell, Costa, Donoghue, Elliott, Goldwater, Hammen, Hubbard, Hurson, Kach, Mandel, McDonough, Murray, Oaks, Pendergrass, Rosenberg, Rudolph, Smigiel, V. Turner, and Weldon** **Weldon, and Conroy**

Introduced and read first time: January 28, 2004
Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted with floor amendments
Read second time: March 3, 2004

CHAPTER _____

1 AN ACT concerning

2 **Children's Group Home Residential Child Care Programs - Certification of**
3 **Program Administrator**

4 FOR the purpose of establishing the State Board for Certification of ~~Children's Group~~
5 **Home Residential Child Care** Program Administrators; specifying the
6 membership, powers, and duties of the Board; establishing the terms of and
7 requirements for certain members of the Board; authorizing the Board to
8 employ certain staff in accordance with the budget of the Board; establishing a
9 State Board for Certification of ~~Children's Group Home Residential Child Care~~
10 Program Administrators Fund; establishing certain immunity from liability for
11 certain persons under certain circumstances; requiring an individual to be
12 certified before the individual may administer a ~~children's group home~~
13 **residential child care** program licensed by certain State departments;
14 establishing certain procedures in the event that a program administrator
15 leaves or is removed; specifying the qualifications for certain certificates;
16 specifying application procedures for certain applications; authorizing the
17 issuance and renewal of certain certificates; authorizing certain individuals
18 with certificates to administer certain programs; providing for the expiration
19 and renewal of certain certificates; establishing certain grounds for discipline;
20 requiring the Board to provide certain hearing procedures before certain
21 individuals may be disciplined under this Act; prohibiting certain acts; making
22 certain exceptions; establishing certain penalties; establishing a certain date by
23 which all licensed ~~children's group home~~ **residential child care** programs shall

1 have certified program administrators; providing that the State Board for
2 Certification of ~~Children's Group Home Residential Child Care~~ Program
3 Administrators is subject to the provisions of the Maryland Program Evaluation
4 Act; defining certain terms; stating the intent of the General Assembly that
5 certain funds be included in the State budget for certain purposes and that when
6 certain special funds become available, the special funds be used to reimburse
7 the General Fund; specifying the terms of the initial members of the Board; and
8 generally relating to the certification of individuals to administer ~~children's~~
9 group home residential child care programs.

10 BY renumbering

11 Article - State Government
12 Section 8-403(b)(13) through (70), respectively
13 to be Section 8-403(b)(14) through (71), respectively
14 Annotated Code of Maryland
15 (1999 Replacement Volume and 2003 Supplement)

16 BY repealing and reenacting, without amendments,

17 Article - Health Occupations
18 Section 1-101(a), (b), (d), (e), (h), (j), (k), and (l)
19 Annotated Code of Maryland
20 (2000 Replacement Volume and 2003 Supplement)

21 BY adding to

22 Article - Health Occupations
23 Section 20-101 through 20-502, inclusive, to be under the new title "Title 20.
24 Children's Group Home Residential Child Care Program Administrators"
25 Annotated Code of Maryland
26 (2000 Replacement Volume and 2003 Supplement)

27 BY repealing and reenacting, without amendments,

28 Article - State Government
29 Section 8-403(a)
30 Annotated Code of Maryland
31 (1999 Replacement Volume and 2003 Supplement)

32 BY adding to

33 Article - State Government
34 Section 8-403(b)(13)
35 Annotated Code of Maryland
36 (1999 Replacement Volume and 2003 Supplement)

37 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
38 MARYLAND, That Section(s) 8-403(b)(13) through (70), respectively, of Article -

1 State Government of the Annotated Code of Maryland be renumbered to be Section(s)
2 8-403(b)(14) through (71), respectively.

3 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
4 read as follows:

5 **Article - Health Occupations**

6 1-101.

7 (a) In this article the following words have the meanings indicated.

8 (b) "Board of Review" means the Board of Review of the Department.

9 (d) "Department" means the Department of Health and Mental Hygiene.

10 (e) "Household member" means someone who is:

11 (1) The individual's:

12 (i) Spouse;

13 (ii) Son;

14 (iii) Daughter;

15 (iv) Ward; or

16 (v) Parent; or

17 (2) The individual's relative:

18 (i) Who shares the individual's legal residence; or

19 (ii) Whose financial affairs are under the legal or actual control of
20 the individual.

21 (h) "Person" means an individual, receiver, trustee, guardian, personal
22 representative, fiduciary, or representative of any kind and any partnership, firm,
23 association, corporation, or other entity.

24 (j) "Secretary" means the Secretary of Health and Mental Hygiene.

25 (k) "State" means:

26 (1) A state, possession, or territory of the United States;

27 (2) The District of Columbia; or

28 (3) The Commonwealth of Puerto Rico.

1 (l) "Substantial financial interest" means:

2 (1) An asset with a fair market value of \$1,000 or more; or

3 (2) A source of income of \$500 or more in a calendar year.

4 TITLE 20. ~~CHILDREN'S GROUP HOME~~ RESIDENTIAL CHILD CARE PROGRAM
5 ADMINISTRATORS.

6 SUBTITLE 1. DEFINITIONS.

7 20-101.

8 (A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

9 (B) (1) "AGENCY" MEANS:

10 (I) THE DEVELOPMENTAL DISABILITIES ADMINISTRATION IN THE
11 DEPARTMENT;

12 (II) THE DEPARTMENT;

13 (III) THE DEPARTMENT OF HUMAN RESOURCES;

14 (IV) THE DEPARTMENT OF JUVENILE SERVICES; AND

15 (V) THE MENTAL HYGIENE ADMINISTRATION IN THE
16 DEPARTMENT.

17 (2) "AGENCY" INCLUDES THE STATE SUPERINTENDENT OF SCHOOLS.

18 (C) "BOARD" MEANS THE STATE BOARD FOR CERTIFICATION OF ~~CHILDREN'S~~
19 ~~GROUP HOME~~ RESIDENTIAL CHILD CARE PROGRAM ADMINISTRATORS.

20 (D) "CERTIFICATE" MEANS, UNLESS THE CONTEXT REQUIRES OTHERWISE, A
21 CERTIFICATE ISSUED BY THE BOARD TO ADMINISTER A ~~CHILDREN'S GROUP HOME~~
22 RESIDENTIAL CHILD CARE PROGRAM.

23 (E) "CERTIFIED PROGRAM ADMINISTRATOR" MEANS, UNLESS THE CONTEXT
24 REQUIRES OTHERWISE, AN INDIVIDUAL WHO IS:

25 (1) CERTIFIED BY THE BOARD; AND

26 (2) RESPONSIBLE FOR THE DAY-TO-DAY MANAGEMENT AND
27 OPERATION OF A ~~CHILDREN'S GROUP HOME~~ RESIDENTIAL CHILD CARE PROGRAM.

28 (F) (1) ~~"CHILDREN'S GROUP HOME~~ "RESIDENTIAL CHILD CARE PROGRAM"
29 MEANS AN ENTITY THAT PROVIDES FOR CHILDREN 24-HOUR PER DAY CARE WITHIN
30 A STRUCTURED SET OF SERVICES AND ACTIVITIES THAT ARE DESIGNED TO ACHIEVE
31 SPECIFIC OBJECTIVES RELATIVE TO THE NEEDS OF THE CHILDREN SERVED AND
32 THAT INCLUDE THE PROVISION OF FOOD, CLOTHING, SHELTER, EDUCATION, SOCIAL

1 SERVICES, HEALTH, MENTAL HEALTH, RECREATION, OR ANY COMBINATION OF
2 THESE SERVICES AND ACTIVITIES.

3 (2) ~~"CHILDREN'S GROUP HOME "~~"RESIDENTIAL CHILD CARE PROGRAM"
4 INCLUDES A PROGRAM:

5 ~~(I) RESIDENTIAL FACILITIES FOR CHILDREN WITH~~
6 ~~DEVELOPMENTAL DISABILITIES;~~

7 ~~(II) CHILD CARE HOMES;~~

8 ~~(III) CHILD CARE INSTITUTIONS;~~

9 ~~(IV) THERAPEUTIC GROUP HOMES; AND~~

10 ~~(V) GROUP HOMES, AS THOSE TERMS ARE DEFINED BY STATE LAW.~~

11 ~~(G) (1) "PROGRAM" MEANS A CHILDREN'S GROUP HOME PROGRAM~~
12 ~~LICENSED BY:~~

13 ~~(I) THE DEVELOPMENTAL DISABILITIES ADMINISTRATION IN THE~~
14 ~~DEPARTMENT;~~

15 ~~(II) THE DEPARTMENT;~~

16 ~~(III) THE DEPARTMENT OF HUMAN RESOURCES;~~

17 ~~(IV) THE DEPARTMENT OF JUVENILE SERVICES; OR~~

18 ~~(V) THE MENTAL HYGIENE ADMINISTRATION IN THE~~
19 ~~DEPARTMENT.~~

20 ~~(2) "PROGRAM" DOES NOT INCLUDE A STATE OPERATED CHILDREN'S~~
21 ~~GROUP HOME PROGRAM FACILITY OF THE MENTAL HYGIENE ADMINISTRATION IN~~
22 ~~THE DEPARTMENT.~~

23 ~~(I) LICENSED BY:~~

24 ~~1. THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE;~~

25 ~~2. THE DEPARTMENT OF HUMAN RESOURCES; OR~~

26 ~~3. THE DEPARTMENT OF JUVENILE SERVICES; AND~~

27 ~~(II) THAT IS SUBJECT TO THE LICENSING REGULATIONS OF THE~~
28 ~~OFFICE FOR CHILDREN, YOUTH, AND FAMILIES GOVERNING THE OPERATIONS OF~~
29 ~~RESIDENTIAL CHILD CARE PROGRAMS.~~

30 ~~(H) (G) "PROGRAM ADMINISTRATOR" MEANS THE INDIVIDUAL RESPONSIBLE~~
31 ~~FOR THE DAY-TO-DAY MANAGEMENT AND OPERATION OF A ~~CHILDREN'S GROUP~~~~
32 ~~HOME RESIDENTIAL CHILD CARE PROGRAM.~~

1 ⊕ (H) "SUBCABINET" MEANS THE SUBCABINET FOR CHILDREN, YOUTH,
2 AND FAMILIES ESTABLISHED UNDER ARTICLE 49D, § 4.1 OF THE CODE.

3 SUBTITLE 2. STATE BOARD FOR CERTIFICATION OF ~~CHILDREN'S GROUP HOME~~
4 RESIDENTIAL CHILD CARE PROGRAM ADMINISTRATORS.

5 20-201.

6 THERE IS A STATE BOARD FOR CERTIFICATION OF ~~CHILDREN'S GROUP HOME~~
7 RESIDENTIAL CHILD CARE PROGRAM ADMINISTRATORS IN THE DEPARTMENT.

8 20-202.

9 (A) (1) THE BOARD CONSISTS OF 11 MEMBERS.

10 (2) OF THE 11 BOARD MEMBERS:

11 (I) SIX MEMBERS SHALL BE APPOINTED AS FOLLOWS:

12 1. TWO BY THE SECRETARY OF HEALTH AND MENTAL
13 HYGIENE, ONE EACH FOR THE DEVELOPMENTAL DISABILITIES ADMINISTRATION
14 AND THE MENTAL HYGIENE ADMINISTRATION;

15 2. ONE BY THE SECRETARY OF JUVENILE SERVICES FOR THE
16 AGENCY;

17 3. ONE BY THE SECRETARY OF HUMAN RESOURCES FOR THE
18 AGENCY;

19 4. ONE BY THE STATE SUPERINTENDENT OF SCHOOLS; AND

20 5. ONE BY THE SUBCABINET; AND

21 (II) FIVE SHALL BE APPOINTED BY THE GOVERNOR.

22 (3) OF THE FIVE APPOINTED BY THE GOVERNOR:

23 (I) THREE SHALL BE PROGRAM ADMINISTRATORS; AND

24 (II) TWO SHALL BE CONSUMER MEMBERS.

25 (B) THE GOVERNOR SHALL APPOINT MEMBERS WITH THE ADVICE AND
26 CONSENT OF THE SENATE.

27 (C) EACH BOARD MEMBER SHALL:

28 (1) BE A UNITED STATES CITIZEN; AND

29 (2) HAVE RESIDED IN THIS STATE FOR AT LEAST 1 YEAR BEFORE
30 APPOINTMENT TO THE BOARD.

1 (D) EACH A CONSUMER MEMBER OF THE BOARD:

2 (1) MAY NOT BE OR EVER HAVE BEEN A PROGRAM ADMINISTRATOR;

3 (2) MAY NOT HAVE A HOUSEHOLD MEMBER WHO IS A PROGRAM
4 ADMINISTRATOR;

5 ~~(3) MAY NOT PARTICIPATE OR EVER HAVE PARTICIPATED IN A~~
6 ~~COMMERCIAL OR PROFESSIONAL FIELD RELATED TO ADMINISTERING A PROGRAM;~~

7 ~~(4)~~ (3) MAY NOT HAVE A HOUSEHOLD MEMBER WHO PARTICIPATES IN
8 A COMMERCIAL OR PROFESSIONAL FIELD RELATED TO ADMINISTERING A PROGRAM;
9 AND

10 ~~(5)~~ (4) MAY NOT HAVE HAD WITHIN 2 YEARS BEFORE APPOINTMENT A
11 SUBSTANTIAL FINANCIAL INTEREST IN A PROGRAM REGULATED BY AN AGENCY.

12 (E) WHILE A MEMBER OF THE BOARD, A CONSUMER MEMBER MAY NOT HAVE
13 A SUBSTANTIAL FINANCIAL INTEREST IN A PROGRAM REGULATED BY AN AGENCY.

14 (F) BEFORE TAKING OFFICE, EACH APPOINTEE TO THE BOARD SHALL TAKE
15 THE OATH REQUIRED BY ARTICLE I, § 9 OF THE STATE CONSTITUTION.

16 (G) (1) THE TERM OF A MEMBER IS 4 YEARS.

17 (2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE
18 TERMS PROVIDED FOR MEMBERS OF THE BOARD ON OCTOBER 1, 2004.

19 (3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A
20 SUCCESSOR IS APPOINTED AND QUALIFIES.

21 (4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES
22 ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND
23 QUALIFIES.

24 (5) A MEMBER MAY NOT SERVE MORE THAN TWO CONSECUTIVE FULL
25 TERMS.

26 (6) TO THE EXTENT PRACTICABLE, THE GOVERNOR SHALL FILL ANY
27 VACANCY ON THE BOARD WITHIN 60 DAYS OF THE DATE OF THE VACANCY.

28 (H) (1) THE GOVERNOR MAY REMOVE A MEMBER FOR INCOMPETENCE,
29 MISCONDUCT, INCAPACITY, OR NEGLECT OF DUTY.

30 (2) ON THE RECOMMENDATION OF THE SUBCABINET, THE GOVERNOR
31 MAY REMOVE A MEMBER WHOM THE SUBCABINET FINDS TO HAVE BEEN ABSENT
32 FROM TWO SUCCESSIVE BOARD MEETINGS WITHOUT ADEQUATE REASON.

1 20-203.

2 (A) FROM AMONG ITS MEMBERS, THE BOARD ANNUALLY SHALL ELECT A
3 CHAIRMAN, VICE CHAIRMAN, AND EXECUTIVE SECRETARY.

4 (B) THE BOARD SHALL DETERMINE:

5 (1) THE MANNER OF ELECTION OF OFFICERS;

6 (2) THE TERM OF OFFICE OF EACH OFFICER; AND

7 (3) THE DUTIES OF EACH OFFICER.

8 20-204.

9 (A) A MAJORITY OF THE FULL AUTHORIZED MEMBERSHIP OF THE BOARD IS A
10 QUORUM.

11 (B) THE BOARD SHALL MEET AT LEAST TWICE A YEAR, AT THE TIMES AND
12 PLACES THAT IT DETERMINES.

13 (C) EACH MEMBER OF THE BOARD IS ENTITLED TO REIMBURSEMENT FOR
14 EXPENSES AT A RATE DETERMINED BY THE BOARD.

15 (D) THE BOARD MAY EMPLOY STAFF IN ACCORDANCE WITH THE BUDGET OF
16 THE BOARD.

17 (E) THE BOARD MAY APPOINT AN EXECUTIVE DIRECTOR.

18 (F) THE EXECUTIVE DIRECTOR:

19 (1) SERVES AT THE PLEASURE OF THE BOARD;

20 (2) SERVES AS THE EXECUTIVE OFFICER OF THE BOARD; AND

21 (3) HAS THE POWERS AND DUTIES ASSIGNED BY THE BOARD.

22 20-205.

23 (A) IN ADDITION TO THE POWERS AND DUTIES SET FORTH ELSEWHERE IN
24 THIS TITLE, THE BOARD IN CONSULTATION WITH THE SUBCABINET SHALL:

25 (1) ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS
26 SUBTITLE;

27 (2) ESTABLISH STANDARDS FOR THE CERTIFICATION OF APPLICANTS;

28 (3) CONDUCT A CONTINUING STUDY AND INVESTIGATION OF
29 ~~PROGRAMS AND~~ PROGRAM ADMINISTRATORS TO IMPROVE:

30 (I) CERTIFICATION STANDARDS; AND

1 (II) PROCEDURES FOR ENFORCING THESE STANDARDS; AND

2 (4) DEVISE EXAMINATIONS AND ADOPT INVESTIGATIVE PROCEDURES
3 TO:

4 (I) DETERMINE WHETHER PROGRAM ADMINISTRATORS MEET THE
5 STANDARDS ADOPTED BY THE BOARD; AND

6 (II) ASSURE THAT PROGRAM ADMINISTRATORS CONTINUE TO
7 MEET THESE STANDARDS.

8 (B) IN ADDITION TO THE DUTIES SET FORTH ELSEWHERE IN THIS TITLE, THE
9 BOARD SHALL:

10 (1) MAINTAIN A REGISTRY OF ALL PROGRAM ADMINISTRATORS
11 CERTIFIED BY THE BOARD;

12 (2) SUBMIT AN ANNUAL REPORT TO THE GOVERNOR AND SUBCABINET;

13 (3) ADOPT A CODE OF ETHICS THAT THE BOARD CONSIDERS
14 APPROPRIATE AND APPLICABLE TO THE PROGRAM ADMINISTRATORS CERTIFIED BY
15 THE BOARD;

16 (4) ESTABLISH CONTINUING EDUCATION REQUIREMENTS FOR THE
17 PROGRAM ADMINISTRATORS CERTIFIED BY THE BOARD;

18 (5) ADOPT AN OFFICIAL SEAL; AND

19 (6) CREATE COMMITTEES AS IT DEEMS APPROPRIATE TO ADVISE THE
20 BOARD ON SPECIAL ISSUES.

21 20-206.

22 (A) THERE IS A STATE BOARD FOR CERTIFICATION OF ~~CHILDREN'S GROUP~~
23 ~~HOME~~ RESIDENTIAL CHILD CARE PROGRAM ADMINISTRATORS FUND.

24 (B) (1) THE BOARD MAY SET REASONABLE FEES FOR THE ISSUANCE AND
25 RENEWAL OF CERTIFICATES AND ITS OTHER SERVICES.

26 (2) THE FEES CHARGED SHALL BE SET TO PRODUCE FUNDS SO AS TO
27 APPROXIMATE THE COST OF MAINTAINING THE BOARD.

28 (3) THE FUNDS TO COVER THE EXPENSES OF THE BOARD MEMBERS
29 SHALL BE GENERATED BY FEES SET UNDER THIS SECTION.

30 (C) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THIS TITLE TO
31 THE COMPTROLLER OF THE STATE.

32 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE FUND.

1 (D) (1) THE FUND SHALL BE USED TO COVER THE ACTUAL DOCUMENTED
2 DIRECT AND INDIRECT COSTS OF FULFILLING THE STATUTORY AND REGULATORY
3 DUTIES OF THE BOARD AS PROVIDED BY THE PROVISIONS OF THIS TITLE.

4 (2) THE FUND IS A CONTINUING, NONLAPSING FUND, NOT SUBJECT TO §
5 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

6 (3) ANY UNSPENT PORTIONS OF THE FUND MAY NOT BE TRANSFERRED
7 OR REVERT TO THE GENERAL FUND OF THE STATE, BUT SHALL REMAIN IN THE FUND
8 TO BE USED FOR THE PURPOSES SPECIFIED IN THIS TITLE.

9 (4) EXCEPT AS OTHERWISE EXPRESSLY PROVIDED BY LAW, NO OTHER
10 STATE MONEY MAY BE USED TO SUPPORT THE FUND.

11 (E) (1) A DESIGNEE OF THE BOARD SHALL ADMINISTER THE FUND.

12 (2) MONEYS IN THE FUND MAY BE EXPENDED ONLY FOR ANY LAWFUL
13 PURPOSE AUTHORIZED UNDER THE PROVISIONS OF THIS TITLE.

14 (F) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND
15 TRANSACTIONS OF THE FUND AS PROVIDED IN § 2-1220 OF THE STATE GOVERNMENT
16 ARTICLE.

17 20-207.

18 A PERSON SHALL HAVE THE IMMUNITY FROM LIABILITY DESCRIBED UNDER §
19 5-710 OF THE COURTS ARTICLE FOR GIVING INFORMATION TO THE BOARD OR
20 OTHERWISE PARTICIPATING IN ITS ACTIVITIES.

21 SUBTITLE 3. CERTIFICATION PROCESS.

22 20-301.

23 (A) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, ON OR AFTER
24 OCTOBER 1, 2007, AN INDIVIDUAL SHALL RECEIVE A CERTIFICATE FROM THE BOARD
25 BEFORE THE INDIVIDUAL MAY BE A PROGRAM ADMINISTRATOR IN THIS STATE.

26 (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF A
27 PROGRAM ADMINISTRATOR LEAVES OR IS REMOVED FROM A POSITION AS PROGRAM
28 ADMINISTRATOR BY DEATH OR FOR ANY OTHER UNEXPECTED CAUSE, THE OWNER
29 OF A RESIDENTIAL CHILD CARE PROGRAM OR OTHER APPROPRIATE PROGRAM
30 AUTHORITY SHALL IMMEDIATELY DESIGNATE A CERTIFIED PROGRAM
31 ADMINISTRATOR TO SERVE IN THAT CAPACITY.

32 (2) (I) IN THE EVENT A CERTIFIED PROGRAM ADMINISTRATOR IS NOT
33 AVAILABLE, THE OWNER OR OTHER APPROPRIATE PROGRAM AUTHORITY MAY
34 APPOINT A NONCERTIFIED PERSON TO SERVE IN THE CAPACITY OF ACTING
35 PROGRAM ADMINISTRATOR FOR A PERIOD NOT TO EXCEED 180 DAYS.

1 (II) THE OWNER OR OTHER APPROPRIATE PROGRAM AUTHORITY
2 SHALL IMMEDIATELY NOTIFY THE BOARD OF THE APPOINTMENT AND FORWARD THE
3 CREDENTIALS OF THE PERSON APPOINTED TO THE BOARD FOR EVALUATION TO
4 ASSURE THAT THE PERSON APPOINTED IS EXPERIENCED, TRAINED, AND
5 COMPETENT.

6 (III) THE 180-DAY PERIOD BEGINS ON THE DATE THAT THE
7 PROGRAM ADMINISTRATOR LEAVES OR IS REMOVED FROM THE POSITION AS A
8 PROGRAM ADMINISTRATOR.

9 (IV) THE BOARD MAY EXTEND THE 180-DAY PERIOD FOR A
10 FURTHER PERIOD OF NOT MORE THAN 30 DAYS.

11 20-302.

12 (A) TO QUALIFY FOR A CERTIFICATE, AN APPLICANT SHALL BE AN
13 INDIVIDUAL WHO MEETS THE REQUIREMENTS OF THIS SECTION.

14 (B) THE APPLICANT SHALL BE OF GOOD MORAL CHARACTER.

15 (C) THE APPLICANT SHALL HAVE COMPLETED A STATE CRIMINAL HISTORY
16 RECORDS CHECK.

17 (D) THE APPLICANT SHALL BE AT LEAST ~~18~~ 21 YEARS OLD.

18 (E) THE APPLICANT SHALL HAVE:

19 (1) (I) A BACHELOR'S DEGREE FROM AN ACCREDITED COLLEGE OR
20 UNIVERSITY ~~IN A HUMAN SERVICE DISCIPLINE~~; AND

21 (II) AT LEAST 4 YEARS EXPERIENCE IN THE HUMAN SERVICE FIELD
22 WITH AT LEAST 3 YEARS IN A SUPERVISORY OR ADMINISTRATIVE CAPACITY; OR

23 (2) (I) A MASTER'S DEGREE FROM AN ACCREDITED COLLEGE OR
24 UNIVERSITY ~~IN A HUMAN SERVICE DISCIPLINE~~; AND

25 (II) AT LEAST 2 YEARS EXPERIENCE IN THE HUMAN SERVICE FIELD
26 WITH AT LEAST 1 YEAR IN A SUPERVISORY OR ADMINISTRATIVE CAPACITY.

27 (F) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, THE APPLICANT SHALL
28 PASS AN EXAMINATION GIVEN BY THE BOARD UNDER THIS SUBTITLE.

29 20-303.

30 TO APPLY FOR A CERTIFICATE, AN APPLICANT SHALL:

31 (1) SUBMIT AN APPLICATION TO THE BOARD ON THE FORM THAT THE
32 BOARD REQUIRES; AND

33 (2) PAY TO THE BOARD THE APPLICATION FEE SET BY THE BOARD.

1 20-304.

2 (A) THE BOARD SHALL KEEP A FILE OF EACH CERTIFICATE APPLICATION
3 MADE UNDER THIS SUBTITLE.

4 (B) THE FILE SHALL CONTAIN:

5 (1) THE NAME, ADDRESS, AND AGE OF THE APPLICANT;

6 ~~(2) THE NAME AND ADDRESS OF THE EMPLOYER OR BUSINESS~~
7 ~~CONNECTION OF THE APPLICANT;~~

8 ~~(3)~~ (2) THE DATE OF THE APPLICATION;

9 ~~(4)~~ (3) COMPLETE AND CURRENT INFORMATION ON THE
10 EDUCATIONAL, TRAINING, AND EXPERIENCE QUALIFICATIONS OF THE APPLICANT;

11 ~~(5)~~ (4) THE DATE THE BOARD REVIEWED AND ACTED ON THE
12 APPLICATION;

13 ~~(6)~~ (5) THE ACTION TAKEN BY THE BOARD ON THE APPLICATION;

14 ~~(7)~~ (6) THE IDENTIFYING NUMBERS OF ANY CERTIFICATE OR
15 RENEWAL CERTIFICATE ISSUED TO THE APPLICANT; AND

16 ~~(8)~~ (7) ANY OTHER INFORMATION THAT THE BOARD CONSIDERS
17 NECESSARY.

18 (C) THE APPLICATION FILES SHALL BE OPEN TO PUBLIC INSPECTION.

19 20-305.

20 (A) AN APPLICANT WHO OTHERWISE QUALIFIES FOR A CERTIFICATE IS
21 ENTITLED TO BE EXAMINED AS PROVIDED IN THIS SECTION.

22 (B) THE BOARD SHALL GIVE EXAMINATIONS TO APPLICANTS AT LEAST FOUR
23 TIMES A YEAR, AT THE TIMES AND PLACES THAT THE BOARD DETERMINES.

24 (C) THE BOARD SHALL NOTIFY EACH QUALIFIED APPLICANT OF THE TIME
25 AND PLACE OF EXAMINATION.

26 (D) (1) SUBJECT TO THE PROVISIONS OF THIS SUBSECTION, THE BOARD
27 SHALL DETERMINE THE SUBJECTS, SCOPE, FORM, AND PASSING SCORE FOR
28 EXAMINATIONS GIVEN UNDER THIS SUBTITLE.

29 (2) THE SUBJECTS OF EXAMINATION SHALL BE RELATED TO:

30 (I) HEALTH AND SAFETY ISSUES, INCLUDING:

31 1. NUTRITIONAL STANDARDS;

1 20-306.

2 (A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD MAY WAIVE
3 ANY EXAMINATION REQUIREMENT OF THIS TITLE FOR AN INDIVIDUAL WHO IS
4 CERTIFIED AS A PROGRAM ADMINISTRATOR IN ANY OTHER STATE THAT THE BOARD
5 DETERMINES HAS A COMPARABLE CERTIFICATION PROCESS TO THE ONE
6 ESTABLISHED IN THIS TITLE.

7 (B) THE BOARD MAY GRANT A WAIVER UNDER THIS SECTION ONLY IF THE
8 APPLICANT:

9 (1) IS OF GOOD MORAL CHARACTER;

10 (2) PAYS THE APPLICATION FEE REQUIRED BY THE BOARD UNDER §
11 20-303 OF THIS SUBTITLE; AND

12 (3) PROVIDES ADEQUATE EVIDENCE THAT:

13 (I) AT THE TIME THE APPLICANT WAS CERTIFIED IN THE OTHER
14 STATE, THE APPLICANT WAS QUALIFIED TO TAKE THE EXAMINATION THAT THEN
15 WAS REQUIRED BY THE LAWS OF THIS STATE;

16 (II) THE APPLICANT QUALIFIED FOR A CERTIFICATE IN THE OTHER
17 STATE BY PASSING AN EXAMINATION GIVEN IN THAT OR ANY OTHER STATE; AND

18 (III) THE APPLICANT HAS COMPLETED A STATE CRIMINAL HISTORY
19 RECORDS CHECK.

20 (C) THE BOARD SHALL WAIVE THE REQUIREMENTS FOR CERTIFICATION AS A
21 CERTIFIED PROGRAM ADMINISTRATOR UNDER § 20-302 OF THIS ~~TITLE~~ SUBTITLE OR
22 ANY PERSON WHO:

23 (1) HAS FILED A LETTER OF INTENT WITH THE BOARD BY OCTOBER 1,
24 2007;

25 (2) HAS COMPLETED NOT LESS THAN 8 YEARS' EXPERIENCE IN THE
26 HUMAN SERVICE FIELD WITH AT LEAST 4 YEARS IN A SUPERVISORY OR
27 ADMINISTRATIVE CAPACITY; AND

28 (3) HAS BY OCTOBER 1, 2007, SUCCESSFULLY PASSED AN EXAMINATION
29 APPROVED BY THE BOARD.

30 20-307.

31 (A) THE BOARD SHALL ISSUE A CERTIFICATE TO ANY APPLICANT WHO MEETS
32 THE REQUIREMENTS OF THIS TITLE.

33 (B) THE BOARD SHALL INCLUDE ON EACH CERTIFICATE THAT THE BOARD
34 ISSUES:

35 (1) THE FULL NAME OF THE CERTIFICATE HOLDER;

1 (2) A SERIAL NUMBER; AND

2 (3) THE SEAL OF THE BOARD.

3 (C) THE BOARD MAY ISSUE A CERTIFICATE TO REPLACE A LOST, DESTROYED,
4 OR MUTILATED CERTIFICATE IF THE CERTIFICATE HOLDER PAYS THE CERTIFICATE
5 REPLACEMENT FEE SET BY THE BOARD.

6 20-308.

7 THE APPLICANT MAY APPEAL A DECISION OF THE BOARD THAT RELATES TO
8 ISSUING OR RENEWING A CERTIFICATE TO THE BOARD OF REVIEW AS PROVIDED IN §
9 20-315(A) OF THIS SUBTITLE.

10 20-309.

11 A CERTIFICATE AUTHORIZES THE INDIVIDUAL TO ADMINISTER A PROGRAM
12 WHILE THE CERTIFICATE IS EFFECTIVE.

13 20-310.

14 (A) (1) A CERTIFICATE EXPIRES ON A DATE SET BY THE BOARD, UNLESS THE
15 CERTIFICATE IS RENEWED FOR AN ADDITIONAL TERM AS PROVIDED IN THIS
16 SECTION.

17 (2) A CERTIFICATE MAY NOT BE RENEWED FOR A TERM LONGER THAN 2
18 YEARS.

19 (B) AT LEAST 1 MONTH BEFORE THE CERTIFICATE EXPIRES, THE BOARD
20 SHALL SEND TO THE CERTIFIED PROGRAM ADMINISTRATOR, BY FIRST-CLASS MAIL
21 TO THE LAST KNOWN ADDRESS OF THE CERTIFIED PROGRAM ADMINISTRATOR, A
22 RENEWAL NOTICE THAT STATES:

23 (1) THE DATE ON WHICH THE CURRENT CERTIFICATE EXPIRES;

24 (2) THE DATE BY WHICH THE RENEWAL APPLICATION MUST BE
25 RECEIVED BY THE BOARD FOR THE RENEWAL TO BE ISSUED AND MAILED BEFORE
26 THE CERTIFICATE EXPIRES; AND

27 (3) THE AMOUNT OF THE RENEWAL FEE.

28 (C) BEFORE THE CERTIFICATE EXPIRES, THE CERTIFIED PROGRAM
29 ADMINISTRATOR PERIODICALLY MAY RENEW IT FOR AN ADDITIONAL 2-YEAR TERM,
30 IF THE CERTIFIED PROGRAM ADMINISTRATOR:

31 (1) OTHERWISE IS ENTITLED TO OBTAIN A CERTIFICATE;

32 (2) PAYS TO THE BOARD A RENEWAL FEE SET BY THE BOARD; AND

33 (3) SUBMITS TO THE BOARD:

1 (I) A RENEWAL APPLICATION ON THE FORM THAT THE BOARD
2 REQUIRES; AND

3 (II) SATISFACTORY EVIDENCE OF COMPLIANCE WITH ANY
4 CONTINUING EDUCATION AND OTHER QUALIFICATIONS AND REQUIREMENTS SET
5 UNDER THIS SECTION FOR CERTIFICATE RENEWAL.

6 (D) IN ADDITION TO ANY OTHER QUALIFICATIONS AND REQUIREMENTS
7 ESTABLISHED IN CONSULTATION WITH THE SUBCABINET, THE BOARD MAY SET
8 CONTINUING EDUCATION REQUIREMENTS AS A CONDITION FOR THE RENEWAL OF
9 CERTIFICATES UNDER THIS SECTION.

10 (E) THE BOARD SHALL RENEW THE CERTIFICATE OF EACH CERTIFIED
11 PROGRAM ADMINISTRATOR WHO MEETS THE REQUIREMENTS OF THIS SECTION.

12 20-311.

13 (A) THE BOARD SHALL REINSTATE THE CERTIFICATE OF A PROGRAM
14 ADMINISTRATOR WHO HAS FAILED TO RENEW THE CERTIFICATE FOR ANY REASON,
15 IF THE INDIVIDUAL:

16 (1) HAS NOT HAD THE CERTIFICATE SUSPENDED OR REVOKED;

17 (2) MEETS THE RENEWAL REQUIREMENTS OF § 20-310 OF THIS
18 SUBTITLE;

19 (3) PAYS TO THE BOARD THE REINSTATEMENT FEE SET BY THE BOARD;

20 (4) SUBMITS TO THE BOARD SATISFACTORY EVIDENCE OF COMPLIANCE
21 WITH THE QUALIFICATIONS AND REQUIREMENTS ESTABLISHED UNDER THIS TITLE
22 FOR CERTIFICATE REINSTATEMENTS; AND

23 (5) APPLIES TO THE BOARD FOR REINSTATEMENT OF THE CERTIFICATE
24 WITHIN 5 YEARS AFTER THE CERTIFICATE EXPIRES.

25 (B) (1) THE BOARD MAY NOT REINSTATE THE CERTIFICATE OF A PROGRAM
26 ADMINISTRATOR WHO FAILS TO APPLY FOR REINSTATEMENT OF THE CERTIFICATE
27 WITHIN 5 YEARS AFTER THE CERTIFICATE EXPIRES.

28 (2) HOWEVER, THE PROGRAM ADMINISTRATOR MAY BE CERTIFIED BY
29 MEETING THE CURRENT REQUIREMENTS FOR OBTAINING A NEW CERTIFICATE
30 UNDER THIS TITLE.

31 20-312.

32 (A) UNLESS THE BOARD AGREES TO ACCEPT THE SURRENDER OF A
33 CERTIFICATE, A CERTIFIED PROGRAM ADMINISTRATOR MAY NOT SURRENDER THE
34 CERTIFICATE NOR MAY THE CERTIFICATE LAPSE BY OPERATION OF LAW WHILE THE
35 CERTIFIED PROGRAM ADMINISTRATOR IS UNDER INVESTIGATION OR WHILE
36 CHARGES ARE PENDING AGAINST THE CERTIFIED PROGRAM ADMINISTRATOR.

1 (B) THE BOARD MAY SET CONDITIONS ON ITS AGREEMENT WITH THE
2 CERTIFIED PROGRAM ADMINISTRATOR UNDER INVESTIGATION OR AGAINST WHOM
3 CHARGES ARE PENDING TO ACCEPT SURRENDER OF THE CERTIFIED PROGRAM
4 ADMINISTRATOR'S CERTIFICATE.

5 20-313.

6 (A) THE BOARD SHALL INVESTIGATE AND TAKE APPROPRIATE ACTION AS TO
7 ANY COMPLAINT FILED WITH THE BOARD THAT ALLEGES THAT A CERTIFIED
8 PROGRAM ADMINISTRATOR HAS FAILED TO MEET ANY STANDARD OF THE BOARD.

9 (B) SUBJECT TO THE HEARING PROVISIONS OF § 20-314 OF THIS SUBTITLE,
10 THE BOARD MAY DENY A CERTIFICATE TO ANY APPLICANT, REPRIMAND ANY
11 CERTIFIED PROGRAM ADMINISTRATOR, PLACE ANY CERTIFIED PROGRAM
12 ADMINISTRATOR ON PROBATION, OR SUSPEND OR REVOKE A CERTIFICATE IF THE
13 APPLICANT OR CERTIFIED PROGRAM ADMINISTRATOR:

14 (1) FRAUDULENTLY OR DECEPTIVELY OBTAINS OR ATTEMPTS TO
15 OBTAIN A CERTIFICATE FOR A PROGRAM ADMINISTRATOR OR FOR ANOTHER;

16 (2) FRAUDULENTLY OR DECEPTIVELY USES A CERTIFICATE;

17 (3) OTHERWISE FAILS TO MEET SUBSTANTIALLY THE STANDARDS FOR
18 CERTIFICATION ADOPTED BY THE BOARD UNDER § 20-205 OF THIS TITLE;

19 (4) IS CONVICTED OF OR PLEADS GUILTY OR NOLO CONTENDERE TO A
20 FELONY OR TO A CRIME INVOLVING MORAL TURPITUDE, WHETHER OR NOT ANY
21 APPEAL OR OTHER PROCEEDING IS PENDING TO HAVE THE CONVICTION OR PLEA
22 SET ASIDE;

23 (5) PERFORMS THE DUTIES OF A PROGRAM ADMINISTRATOR WHILE:

24 (I) UNDER THE INFLUENCE OF ALCOHOL; OR

25 (II) USING ANY NARCOTIC OR CONTROLLED DANGEROUS
26 SUBSTANCE, AS DEFINED IN § 5-101 OF THE CRIMINAL LAW ARTICLE, OR OTHER
27 DRUG THAT IS IN EXCESS OF THERAPEUTIC AMOUNTS OR WITHOUT VALID MEDICAL
28 INDICATION;

29 (6) IS DISCIPLINED BY A LICENSING OR DISCIPLINARY AUTHORITY OF
30 ANY OTHER STATE OR COUNTRY OR CONVICTED OR DISCIPLINED BY A COURT OF
31 ANY STATE OR COUNTRY FOR AN ACT THAT WOULD BE GROUNDS FOR DISCIPLINARY
32 ACTION UNDER THE BOARD'S DISCIPLINARY STATUTES;

33 ~~(7) PERFORMS THE DUTIES OF A PROGRAM ADMINISTRATOR WITH AN~~
34 ~~UNAUTHORIZED PERSON OR SUPERVISES OR AIDS AN UNAUTHORIZED PERSON IN~~
35 ~~PERFORMING THE DUTIES OF A PROGRAM ADMINISTRATOR;~~

36 ~~(8)~~ (7) WILLFULLY MAKES OR FILES A FALSE REPORT OR RECORD
37 WHILE PERFORMING THE DUTIES OF A PROGRAM ADMINISTRATOR;

1 ~~(9)~~ (8) WILLFULLY FAILS TO FILE OR RECORD ANY REPORT AS
2 REQUIRED UNDER LAW, WILLFULLY IMPEDES OR OBSTRUCTS THE FILING OR
3 RECORDING OF THE REPORT, OR INDUCES ANOTHER TO FAIL TO FILE OR RECORD
4 THE REPORT; OR

5 ~~(10)~~ SUBMITS A FALSE STATEMENT TO COLLECT A FEE;

6 ~~(11)~~ (9) COMMITTS AN ACT OF UNPROFESSIONAL CONDUCT IN
7 PERFORMING THE DUTIES OF A PROGRAM ADMINISTRATOR; ~~OR.~~

8 ~~(12)~~ REFUSES, WITHHOLDS FROM, DENIES, OR DISCRIMINATES AGAINST
9 AN INDIVIDUAL WITH REGARD TO THE PROVISION OF PROFESSIONAL SERVICES FOR
10 WHICH THE INDIVIDUAL IS CERTIFIED AND QUALIFIED TO RENDER BECAUSE THE
11 INDIVIDUAL IS HIV POSITIVE.

12 20-314.

13 (A) EXCEPT AS OTHERWISE PROVIDED IN THE ADMINISTRATIVE PROCEDURE
14 ACT, BEFORE THE BOARD TAKES ANY ACTION UNDER § 20-313 OF THIS SUBTITLE, IT
15 SHALL GIVE THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED AN
16 OPPORTUNITY FOR A HEARING BEFORE THE BOARD.

17 (B) THE BOARD SHALL GIVE NOTICE AND HOLD THE HEARING IN
18 ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT.

19 (C) OVER THE SIGNATURE OF AN OFFICER OR THE EXECUTIVE SECRETARY OF
20 THE BOARD, THE BOARD MAY ISSUE SUBPOENAS AND ADMINISTER OATHS IN
21 CONNECTION WITH ANY INVESTIGATION UNDER THIS TITLE AND ANY HEARINGS OR
22 PROCEEDINGS BEFORE IT.

23 (D) IF, WITHOUT LAWFUL EXCUSE, A PERSON DISOBEYS A SUBPOENA FROM
24 THE BOARD OR AN ORDER BY THE BOARD TO TAKE AN OATH OR TO TESTIFY OR
25 ANSWER A QUESTION, THEN, ON PETITION OF THE BOARD, A COURT OF COMPETENT
26 JURISDICTION MAY PUNISH THE PERSON AS FOR CONTEMPT OF COURT.

27 (E) IF AFTER DUE NOTICE THE INDIVIDUAL AGAINST WHOM THE ACTION IS
28 CONTEMPLATED FAILS OR REFUSES TO APPEAR, THE BOARD MAY HEAR AND
29 DETERMINE THE MATTER.

30 20-315.

31 (A) EXCEPT AS PROVIDED IN THIS SECTION FOR AN ACTION UNDER § 20-313
32 OF THIS SUBTITLE, ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE BOARD IN
33 A CONTESTED CASE, AS DEFINED IN THE ADMINISTRATIVE PROCEDURE ACT, MAY:

34 (1) APPEAL THAT DECISION TO THE BOARD OF REVIEW; AND

35 (2) THEN TAKE ANY FURTHER APPEAL ALLOWED BY THE
36 ADMINISTRATIVE PROCEDURE ACT.

1 (B) (1) ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE BOARD
2 UNDER § 20-314 OF THIS SUBTITLE MAY NOT APPEAL TO THE SECRETARY OR BOARD
3 OF REVIEW BUT MAY TAKE A DIRECT JUDICIAL APPEAL.

4 (2) THE APPEAL SHALL BE MADE AS PROVIDED FOR JUDICIAL REVIEW
5 OF FINAL DECISIONS IN THE ADMINISTRATIVE PROCEDURE ACT.

6 SUBTITLE 4. PROHIBITED ACTS; PENALTIES.

7 20-401.

8 EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, AN INDIVIDUAL MAY NOT:

9 (1) PERFORM THE DUTIES OF, ATTEMPT TO PERFORM THE DUTIES OF,
10 OR OFFER TO PERFORM THE DUTIES OF A PROGRAM ADMINISTRATOR IN THIS STATE
11 UNLESS CERTIFIED BY THE BOARD; OR

12 (2) SUPERVISE, DIRECT, INDUCE, OR AID AN UNCERTIFIED INDIVIDUAL
13 TO PERFORM THE DUTIES OF A PROGRAM ADMINISTRATOR.

14 20-402.

15 (A) UNLESS AUTHORIZED TO PERFORM THE DUTIES OF A PROGRAM
16 ADMINISTRATOR UNDER THIS TITLE, A PERSON MAY NOT REPRESENT TO THE
17 PUBLIC BY TITLE, BY DESCRIPTION OF SERVICES, METHODS, OR PROCEDURES, OR
18 OTHERWISE, THAT THE PERSON IS A PROGRAM ADMINISTRATOR IN THIS STATE.

19 (B) UNLESS AUTHORIZED TO PRACTICE UNDER THIS TITLE, A PERSON MAY
20 NOT USE THE TITLE "~~CHILDREN'S GROUP HOME~~ RESIDENTIAL CHILD CARE
21 PROGRAM ADMINISTRATOR" OR ANY OTHER DESIGNATION, TITLE, OR ABBREVIATION
22 WITH THE INTENT TO REPRESENT THAT THE PERSON IS AUTHORIZED TO PERFORM
23 THE DUTIES OF A PROGRAM ADMINISTRATOR.

24 20-403.

25 A PERSON MAY NOT:

26 (1) SELL OR FRAUDULENTLY OBTAIN OR FURNISH OR AID IN SELLING
27 OR FRAUDULENTLY OBTAINING OR FURNISHING A CERTIFICATE ISSUED UNDER
28 THIS TITLE; OR

29 (2) PERFORM THE DUTIES OF A PROGRAM ADMINISTRATOR UNDER ANY
30 CERTIFICATE UNLAWFULLY OR FRAUDULENTLY OBTAINED OR ISSUED.

31 20-404.

32 EXCEPT WHEN A PROGRAM ADMINISTRATOR IS REMOVED FROM THE POSITION
33 BY DEATH OR FOR ANY OTHER UNEXPECTED CAUSE AS PROVIDED IN § 20-301 OF
34 THIS TITLE, A PROGRAM MAY NOT BE OPERATED UNLESS IT IS UNDER THE

1 ~~SUPERVISION DAY-TO-DAY MANAGEMENT AND OPERATION~~ OF A CERTIFIED
2 PROGRAM ADMINISTRATOR.

3 20-405.

4 A PERSON WHO VIOLATES ANY PROVISION OF THIS TITLE IS GUILTY OF A
5 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

6 (1) A FINE NOT EXCEEDING \$1,000 FOR A FIRST OFFENSE; AND

7 (2) A FINE NOT EXCEEDING \$5,000 OR IMPRISONMENT NOT EXCEEDING 6
8 MONTHS OR BOTH FOR ANY SUBSEQUENT VIOLATION OF THE SAME PROVISION.

9 SUBTITLE 5. SHORT TITLE; TERMINATION OF TITLE.

10 20-501.

11 THIS TITLE MAY BE CITED AS THE "MARYLAND CERTIFICATION OF PROGRAM
12 ADMINISTRATORS FOR ~~CHILDREN'S GROUP HOME~~ RESIDENTIAL CHILD CARE
13 PROGRAMS ACT".

14 20-502.

15 SUBJECT TO THE EVALUATION AND REESTABLISHMENT PROVISIONS OF THE
16 PROGRAM EVALUATION ACT, THIS TITLE AND ALL REGULATIONS ADOPTED UNDER
17 THIS TITLE SHALL TERMINATE AND BE OF NO EFFECT AFTER JULY 1, 2014.

18 **Article - State Government**

19 8-403.

20 (a) On or before December 15 of the 2nd year before the evaluation date of a
21 governmental activity or unit, the Legislative Policy Committee, based on a
22 preliminary evaluation, may waive as unnecessary the evaluation required under this
23 section.

24 (b) Except as otherwise provided in subsection (a) of this section, on or before
25 the evaluation date for the following governmental activities or units, an evaluation
26 shall be made of the following governmental activities or units and the statutes and
27 regulations that relate to the governmental activities or units:

28 (13) ~~CHILDREN'S GROUP HOME~~ RESIDENTIAL CHILD CARE PROGRAM
29 ADMINISTRATORS, STATE BOARD FOR CERTIFICATION OF (§ 20-202 OF THE HEALTH
30 OCCUPATIONS ARTICLE: JULY 1, 2013);

31 SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the
32 General Assembly that the Governor provide funds in the fiscal year 2006 budget at a
33 level sufficient enough to allow the State Board for Certification of ~~Children's Group~~
34 Home Residential Child Care Program Administrators to begin operating as a
35 regulatory board, and when special funds become available for the regulation of

1 ~~children's group home~~ residential child care program administrators, special funds
2 shall be used to reimburse the General Fund for the cost of starting up the Board.

3 SECTION 4. AND BE IT FURTHER ENACTED, That the terms of the initial
4 members of the State Board for Certification of Residential Child Care Program
5 Administrators shall expire as follows:

6 (1) three members in 2005;

7 (2) four members in 2006; and

8 (3) four members in 2007.

9 ~~SECTION 4. 5.~~ AND BE IT FURTHER ENACTED, That this Act shall take
10 effect October 1, 2004.